



**CALIFORNIA
HIGH-SPEED RAIL
AUTHORITY**

BRIEFING: August 2, 2012, BOARD MEETING AGENDA ITEM #8

TO: Dan Richard and Authority Board Members

FROM: Jeff Morales, Chief Executive Officer

DATE: July 25, 2012

**RE: Informational Item on the Small and Disadvantaged Business
Enterprise Program Disparity Study**

This item is for information purposes and does not require action by the Board.

On September 15, 2011, the Federal Railroad Administration (FRA) directed the California High-Speed Rail Authority (Authority) to conduct a Disadvantaged Business Enterprise (DBE) Availability and Disparity Study (Study). The directive indicated the Study must be completed no later than one year from September 15, 2011 and be submitted to the FRA.

The Study will examine the availability of DBEs who are ready, willing and able to participate in the high speed rail project and examine whether and to what extent there are disparities between availability of DBEs and their utilization on the Authority's past federally assisted contract and subcontract awards. The Authority's past contract awards are all professional services contracts. The selected Study consultant may use information from relevant existing transportation services' disparity studies, such as information from Caltrans, Bay Area Rapid Transit and Los Angeles County Metropolitan Transportation Authority in its analysis of whether disparities exist in railroad contracts.

On October 6, 2011, the Authority requested the FRA to authorize the use of existing grant funding to complete the Study, estimated at \$250,000. On April 26, 2012, the FRA authorized the funding request. The FRA authorization bestowed five (5) months to complete the formal Request for Proposal (RFP) solicitation, select a consultant before June 30, 2012 (end of the state fiscal year contracting period) and complete a defensible Study before September 15, 2012.

On April 30, 2012, the Authority requested FRA to approve an extension to complete the Study by July 2013. The extension will allow the Authority to enter into the RFP process to select a consultant who will complete a Study that is compliant with Title 49 Code of Federal Regulations Part 26 and is defensible.

On June 11, 2012, FRA approved the Authority's request to extend the Study completion to July 2013. The Authority will move forward accordingly through a RFP to conduct the aforementioned Availability and Disparity Study.